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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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March 2, 1992

Warren Reynolds
Salt Lake County Public Works Department
Development Services Division
Plan Services Section
2001 South State Street #N3600
Salt Lake City, Utah 84190-4050

Dear Mr. Reynolds:

Re: Request For Recommendation, Parley's Canyon Aggregate Company, File # PL 92-2044; a.k.a. Lone Star Industries, Parleys Canyon Quarry, D.O.G.M. File #D/035/003, Salt Lake County, Utah

The Division of Oil, Gas and Mining (Division) received this request on February 21, 1992. The area in question was the site of a quarry which was last operated by Lone Star Industries. Portions of this site were reclaimed by the operator in the fall of 1989. Division staff last inspected the site on August 2, 1991. The purpose of the inspection was to evaluate the reclamation work performed and the revegetation success. While the revegetation success was poor, the site had been reclaimed (i.e., regraded and recontoured) as was specified in the Division files. Division regulation usually requires a period of 3 years to pass from the time of initial or subsequent reseeding, before granting a final release of the site. In this case, the earliest date of possible revegetation release would be sometime during the fall of 1992. This brings up the point of reopening the quarry.

Any operator wishing to re-initiate mining at this quarry will need to file a Notice of Intent to Conduct Mining (NOI) with this Division prior to beginning any mining activity as prescribed by the Utah Mined Land Reclamation Act (Act). This applies to operations on federal, state and patented or private ground. Mining notices are divided into the categories of small and large mines. Small mining operations are those having a surface disturbance of five (5) or less acres and large mining operations are those which exceed five (5) acres of surface disturbance. A large mining notice requires, at a minimum, an initial 30-day review period, a 30-day public comment period, completion of a reclamation contract, and the approval of a reclamation surety by the Board of Oil, Gas and Mining (Board). A small mining notice requires a 15-day initial review period and no reclamation surety is required.

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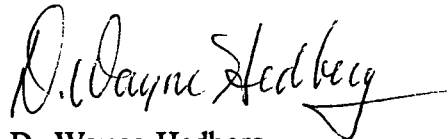
These time frames may be extended due to completeness or technical deficiencies, coordinating efforts with other agencies or public comments.

In the case of reopening a previously existing mine, the new operator would assume reclamation responsibility of all areas which will be re-disturbed by the new operation. The operator may request relief from certain reclamation responsibilities by requesting a variance from the pertinent sections of the Minerals Reclamation Program Rules (Rules).

In this particular case, the question arises as to the applicability of the Act to the proposed new operator, Parley's Canyon Aggregate Company. The operative word here is "aggregate". Under the definitions of the Act, mining does not include the extraction of rock aggregate. Since this site has been previously permitted as a mining operation, it is the Division's opinion that a precedent has already been set regarding the applicability of the Act to this site. If the applicant wishes to contest this issue, there are provisions within the Rules which allow this matter to be heard before the Board. The information describing this process will be made available upon request by contacting me, or Jan Brown, Administrative Secretary to the Board, out of this same office.

In conclusion, before the Division can concur with a reopening of this quarry, we will need to receive and review the appropriate mining application form from the operator. If the applicant wishes to file a NOI with the Division, I would recommend scheduling a meeting with a member of the Minerals staff. If you require more information or have any concerns regarding the content of this letter please contact me or Anthony Gallegos of my staff.

Sincerely,



D. Wayne Hedberg
Permitting Supervisor, Minerals

jb

cc: Lowell Braxton, DOGM
D035003

blind cc: John Davis, Pruitt Grushee & Backtoll

WAYNE

Here's the scoop on the Salt Lake County Planning Services stuff for the Parley's Canyon Quarry. Requests for Recommendation are sent out to whomever. No specific deadline for comments is listed on the forms nor is a specific deadline enforced, but generally this means at least two weeks from the mailing. I called Mr. Warren Reynolds at 468-2085 and told him that we would like to comment, but that we would not get something in the mail until the first week of March sometime. He said ok and that they would be waiting to hear from us. The matter was to be heard in their hearing held last Tuesday (Feb 25). After the hearing and a comfortable lapse of time for receipt of any comments, *before* someone makes a decision.

TONY